

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID WAYNE ELMORE,

Plaintiff,

No. CIV S-04-2657 GEB PAN P

vs.

TOM L. CAREY, et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding pro se and seeking relief pursuant to 42 U.S.C. § 1983. On August 23, 2006, defendants filed a motion to stay and modify the court's March 22, 2006, scheduling order. In light of the court's order filed August 24, 2006, this motion will be denied.¹

Accordingly, IT IS HEREBY ORDERED that defendants' August 23, 2006, motion to stay and modify the scheduling order is denied.

DATED: September 18, 2006.


UNITED STATES MAGISTRATE JUDGE

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¹ Moreover, on August 29, 2006, plaintiff filed a document styled as a "Notice of Error," asking the court to disregard his second amended complaint filed June 20, 2006.